



Development Services Department
Environmental Coordinator
450 110th Avenue NE
Bellevue, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPOSAL NAME:	Zheng Vegetation Management Plan
LOCATION:	5050 165th Place SE
FILE NUMBERS:	20-123672-LO
PROPONENT:	Cong Zheng
DESCRIPTION OF PROPOSAL: Vegetation Management to restore conditions created by unpermitted removal of two trees within a type-F stream (Lewis Creek) buffer at 5050 165th Place SE. The proposal includes a restoration planting of 5 native trees and shrubs.	

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision.

DATE ISSUED: 4/8/2021

APPEAL DATE: 4/22/2021

A written appeal must be filed in the City Clerk's Office by 5 p.m. on the appeal date noted above.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project) or if the DNS was procured by misrepresentation or lack of material disclosure.

Issued By: *Heidi Bedwell, Planning Manager* **for** **Date:** April 8, 2021
Elizabeth Stead, Environmental Coordinator
Development Services Department



**City of Bellevue
Development Services Department
Land Use Staff Report**

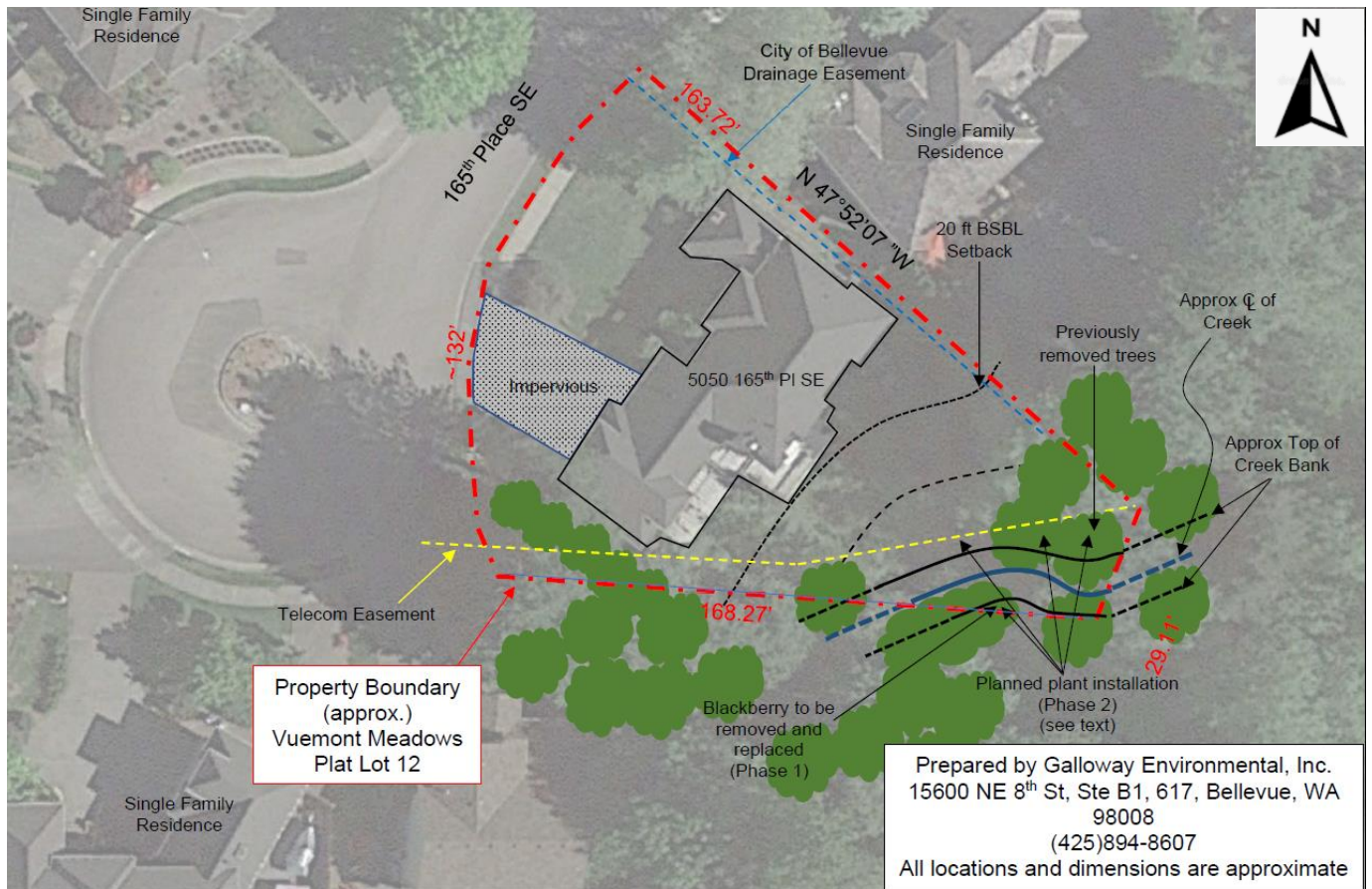
Proposal Name:	Zheng Vegetation Management Plan
Proposal Addresses:	5050 165th Place SE
Proposal Description:	Critical Areas Land Use Permit approval for Vegetation Management to restore unpermitted vegetation removal that has occurred within a type-F stream buffer. Unpermitted vegetation clearing associated with Enforcement Action 20-114215-EA.
File Number:	20-123672-LO
Applicant:	Cong Zheng
Decisions Included:	Critical Areas Land Use Permit (Process II. LUC 20.30P)
Planner:	Drew Folsom , Land Use Planner
State Environmental Policy Act Threshold Determination:	Determination of Non-Significance <i>Heidi Bedwell, Planning Manager</i> <hr/> Elizabeth Stead, Environmental Coordinator Development Services Department
Director's Decision:	Approval with Conditions <i>Heidi Bedwell, Planning Manager</i> <hr/> Elizabeth Stead, Land Use Director Development Services Department
Application Date:	December 29, 2020
Notice of Application Publication Date:	February 28, 2021
Re-notice of Application Publication Date:	March 11, 2021
Decision Publication Date:	April 8, 2021
Project/SEPA Appeal Deadline:	April 22, 2021

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

I. Proposal Description

The applicant is requesting a Critical Areas Land Use Permit (CALUP) to restore conditions created by unpermitted removal of two trees within a type-F stream (Lewis Creek) buffer at 5050 165th Place SE. The proposal includes a restoration planting of 5 native trees and shrubs.

Per LUC 20.25H.055.C.3.(i)iv a CALUP is required because the proposed vegetation management activities are located within a critical area buffer.



II. Consistency with Land Use Code Requirements

Vegetation Management Plan Performance Standards LUC 20.25H.055.C.3.v.i

(A) Is the Vegetation Management Plan prepared by a qualified professional?

Yes ☒ or No ☐

Describe:

Plan Preparer's Name: Dylan Galloway, GEI Fisheries Biologist

Company: Galloway Environmental, Inc.

Address: 15600 NE 8th Street, Suite B1, 617, Bellevue, Washington 98008

Phone: (425) 894-8607

Statement of Qualifications: Fisheries Biologist

(B) Does the Vegetation Management Plan include the following?

(1) A description of existing site conditions, including existing critical area functions and values;

Yes ☒ or No ☐

Describe: The site contains a native growth protection easement (NGPE), and stream buffer that were impacted by the unpermitted removal of two trees in 2020. The removed trees provided stormwater treatment, and habitat opportunity within the critical area and critical area buffer. Portions of the affected area were/are covered by non-native Himalayan Blackberry (*Rubus discolor*).

(2) A site history;

Yes ☒ or No ☐

Describe: The Vuemont Meadows plat development was approved by the City of Bellevue in 1988 and included native growth protection easements (NGPE's) containing streams, wetlands, and their respective buffers. The 5050 165th place parcel was developed with a single-family dwelling in 1990. In 2020, the unpermitted removal of two trees occurred on the parcel.

(3) A discussion of the plan objectives;

Yes ☒ or No ☐

Describe: The general objective of the plan is to restore the affected area with native species appropriate for stream buffers by planting 5 native trees. The proposal also discusses the removal of non-native Himalayan blackberry, invasive plant cover within the vegetation management area, and replanting with native vegetation. The removal of the Himalayan blackberry is allowed without requiring a Critical Areas Land Use Permit or a Vegetation Management Plan per LUC 20.25H.055.C.3.h.i.i.

(4) A description of all sensitive features;

Yes ☒ or No ☐

Describe: The site contains a Type-F stream (Lewis Creek) and associated buffers. See the attached Vegetation Management Plan (Section 1) for a more detailed description of the on-site critical area and buffers.

(5) Identification of soils, existing vegetation, and habitat associated with species of local importance present on the site;

Yes ☒ or No ☐

Describe: Soils at the site have been mapped as Beausite gravelly sandy loam (BeC).

Vegetation at the site was observed and documented to contain a mix of natives and ornamentals, including but not limited to non-native Himalayan Blackberry (*Rubus discolor*), oak trees, western red cedar (*Thuja placita*), and beech trees (See Section 1.1.2).

(6) Allowed work windows;

Yes ☒ or No ☐

Describe: The applicant has included a 5-year maintenance and monitoring plan and has provided detailed information regarding actions that can occur within each of the five years. Due to proximity to the stream, work during rainy season months is restricted. See Section VII for Mitigation/Replacement Plan and Rainy Season Related Conditions of Approval.

(7) A clear delineation of the area within which clearing and other vegetation management practices are allowed under the plan; and

Yes ☒ or No ☐

Describe: A restoration area map and planting plan are included with the vegetation management plan

(8) Short- and long-term management prescriptions, including characterization of trees and vegetation to be removed, and restoration and revegetation plans with native species, including native species with a lower growth habit. Such restoration and revegetation plans shall demonstrate that the proposed Vegetation Management Plan will not significantly diminish the functions and values of the critical area or alter the forest and habitat characteristics of the site over time.

Yes ☒ or No ☐

Describe: The plan provides short- and long-term management goals for vegetation located within the parcels. Short-term goals include removal of Himalayan blackberry invasive vegetation and planting 5 native trees and shrubs. The long-term goals include sustainable species diversity, improved stormwater quality. See section 4 of the vegetation management plan for specific metrics. As discussed in section 4 of the vegetation management plan, no use of herbicides is anticipated. Any use of herbicides for the control of vegetation within the planting area is subject to City of Bellevue environmental best management practices. See Section VII for Mitigation/Replacement Plan and Herbicide Related Conditions of Approval.

(C) Would any proposed tree removal result in a significant impact to habitat associated with species of local importance?

Yes ☐ or No ☒

Describe: No additional tree removal is proposed. The proposal is to restore an area where unpermitted tree removal has occurred, and the proposed replanting includes small to large native trees and shrubs.

If yes, can the impacted function be replaced elsewhere within the management area subject to the plan?

Yes ☐ or No ☒

Describe:

(D) Is the area under application subject to any applicable neighborhood restrictive covenants that address view preservation or vegetation management? The existence of and provisions of neighborhood restrictive covenants shall not be entitled to any more or less weight than other reports and materials in the record.

Yes ☐ or No ☒

If yes, describe:

III. Public Notice and Comment

Application Date:	December 29, 2020
Public Notice (500 feet):	February 18, 2021
Re-noticed:	March 11, 2021
Minimum Comment Period:	March 25, 2021

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on February 18, 2021. It was mailed to property owners within 500 feet of the project site. The project was re-noticed and re-mailed to property owners within 500 feet on March 11, 2021, to correct an error in the comment period listed in the Optional DNS cover sheet.

The City received comments related to the error within the DNS cover sheet associated with the original notice. The project was re-noticed on March 11, 2021, to correct this error. No additional comments have been received from the public as of the writing of this staff report.

IV. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The attached Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

V. Critical Areas Land Use Permit Decision Criteria **LUC 20.30P.140**

The Director may approve or approve with modifications an application for a Critical Areas Land Use Permit if:

- A. The proposal obtains all other permits required by the Land Use Code; and
Yes ☒ or No ☐
Describe: The proposal is required to obtain a Clearing & Grading Permit in Critical Areas Permit (GJ) prior to commencing work under this proposal. See Section VII for Clearing and Grading Permit Related Conditions of Approval.
- B. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer; and
Yes ☒ or No ☐
Describe: The proposal utilizes the best available design for vegetation management by replanting the affected area with a diverse group of 5 native trees that are appropriate for stream buffer critical areas. The proposal includes plans for maintenance and monitoring and will be required to provide a financial assurance to ensure success of the restoration area. See Section VII for Mitigation/Replacement Plan and Financial Assurance Related Conditions of Approval.
- C. The proposal incorporates the performance standards of Part 20.25H LUC to the maximum extent applicable; and
Yes ☒ or No ☐
Describe: As discussed in Section II, the proposal has demonstrated compliance with the performance standards for vegetation management within a critical area.
- D. The proposal will be served by adequate public facilities including streets, fire protection, and utilities; and
Yes ☒ or No ☐
Describe: The site is currently served by adequate public facilities. The proposal will not increase the need for public facilities on the site.
- E. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC 20.25H.210; except that a proposal to modify or remove vegetation pursuant to an approved Vegetation Management Plan under LUC 20.25H.055.C.3.i shall not require a mitigation or restoration plan; and
Yes ☒ or No ☐
Describe: The proposal includes a restoration plan meeting the recommendations of the Critical Areas Handbook and that is consistent with the requirements of LUC 20.25H.210. See Section VII for Mitigation/Replacement Plan Related Conditions of Approval.
- F. The proposal complies with other applicable requirements of this code.

Yes ☒ or No ☐

Describe: Demonstration of compliance with the other applicable requirements of the Bellevue City Code will be completed under the review of the required clearing and grading permit.

VI. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the vegetation management plan within 5050 165th Place SE.

Note- Expiration of Approval: In accordance with LUC 20.30P.150.B, the Critical Areas Land Use Permit for Vegetation Management is valid for a period of no greater one (1) year after the effective date of the approval.

VII. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

<u>Applicable Ordinances</u>	<u>Contact Person</u>
Clearing and Grading Code- BCC 23.76	Savina Uzunow 425-452-7860
Land Use Code- BCC 20.25H	Drew Folsom, 425-452-4441
Noise Control- BCC 9.18	Drew Folsom, 425-452-4441

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. Clearing & Grading Permit Required: A Clearing & Grading Permit is required to conduct work specified in the plans referenced in this approval.

Authority: Land Use Code 20.30P.140

Reviewer: Drew Folsom, Land Use

2. Mitigation/Replacement Plan: A restoration plan conforming to the conceptual plan submitted under this application by Galloway Environmental, Inc. shall be included with the Clearing & Grading Permit application. Plans shall meet all requirements for submission as specified on the Forms and Publications webpage on the City's website.

Authority: Land Use Code 20.25H.220.B and Clearing and Grading Code 23.76.035

Reviewer: Drew Folsom, Land Use; Savina Uzunow, Clearing and Grading

3. Maintenance & Monitoring: To ensure establishment occurs and long-term viability is assured, a yearly monitoring report demonstrating compliance with performance standards in the plan shall be emailed to DFolsom@Bellevuewa.gov or submitted to the Development Services Department for a period of five (5) years.

Environmental Planning Manager
Development Services Department
City of Bellevue
PO Box 90012
Bellevue, WA 98009-9012

Authority: Land Use Code 20.25H.220.D
Reviewer: Drew Folsom, Land Use

4. Rainy Season restrictions: Due to the proximity to steep slope and stream critical areas, no clearing and grading activity may occur during the rainy season, which is defined as October 1 through April 30 without written authorization of the Development Services Department. Should approval be granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology must be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A
Reviewer: Savina Uzunow, Clearing and Grading

5. Pesticides, Insecticides, and Fertilizers: The applicant must submit as part of the required Clearing and Grading Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Land Use Code 20.25H.220.H
Reviewer: Drew Folsom, Land Use



SEPA Environmental Checklist

The City of Bellevue uses this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions

The checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully and to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions.

You may respond with "Not Applicable" or "Does Not Apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies and reports. Please make complete and accurate answers to these questions to the best of your ability in order to avoid delays. For assistance, see [SEPA Checklist Guidance](#) on the Washington State Department of Ecology website.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The city may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Background

1. Name of proposed project, if applicable _____
2. Name of applicant _____
3. Contact person _____ Phone _____
4. Contact person address _____
5. Date this checklist was prepared _____
6. Agency requesting the checklist _____

DF 4/7/2021

DF 2/17/2021

7. Proposed timing or schedule (including phasing, if applicable)

8. Do you have any plans for future additions, expansion or further activity related to or connected with this proposal? If yes, explain.

9. List any environmental information you know about that has been prepared or will be prepared, that is directly related to this proposal.

10. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

11. List any government approvals or permits that will be needed for your proposal, if known.

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DF 2/17/2021

12. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

13. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and the section, township and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Environmental Elements

Earth

1. General description of the site:

- ☐ Flat
- ☐ Rolling
- ☐ Hilly
- ☐ Steep Slopes
- ☐ Mountainous
- ☐ Other _____

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2. What is the steepest slope on the site (approximate percent slope)? _____

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3. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

4. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

5. Describe the purpose, type, total area and approximate quantities and total affected area of any filling, excavation and grading proposed. Indicate the source of the fill.

6. Could erosion occur as a result of clearing, construction or use? If so, generally describe.

7. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? _____

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8. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.

Further mitigated per BCC 93.76.090 Erosion and Sedimentation Control - DF

Air

1. What types of emissions to the air would result from the proposal during construction, operation and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

2. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

3. Proposed measures to reduce or control emissions or other impacts to air, if any.

DF 4/7/2021

DF 2/17/2021

Water

1. Surface Water

- a. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- b. Will the project require any work over, in or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

- c. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of the fill material.

- d. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose and approximate quantities, if known.

- e. Does the proposal lie within a 100-year floodplain? _____
If so, note the location on the site plan.

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- f. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

2. Ground Water

- a. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

- b. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

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3. Water Runoff (including stormwater)

- a. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

- b. Could waste materials enter ground or surface waters? If so, generally describe.

- c. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Indicate any proposed measures to reduce or control surface, ground and runoff water, and drainage pattern impacts, if any.

DF 4/7/2021

Plants

1. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other _____
- ☐ evergreen tree: fir, cedar, pine, other _____
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards or other permanent crops
- ☐ wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other _____
- ☐ water plants: water lily eelgrass, milfoil, other _____
- ☐ other types of vegetation _____

2. What kind and amount of vegetation will be removed or altered?

3. List any threatened and endangered species known to be on or near the site.

4. Proposed landscaping, use of native plants or other measures to preserve or enhance vegetation on the site, if any.

5. List all noxious weeds and invasive species known to be on or near the site.

Animals

1. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

Birds: ☐hawk, ☐heron, ☐eagle, ☐songbirds, ☐other _____

Mammals: ☐deer, ☐bear, ☐elk, ☐beaver, ☐other _____

Fish: ☐bass, ☐salmon, ☐trout, ☐herring, ☐shellfish, ☐other _____

2. List any threatened and endangered species known to be on or near the site.

3. Is the site part of a migration route? If so, explain.

4. Proposed measures to preserve or enhance wildlife, if any.

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5. List any invasive animal species known to be on or near the site.

Energy and Natural Resources

1. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

2. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

3. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

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Environmental Health

1. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill or hazardous waste, that could occur as a result of this proposal? If so, describe.

- a. Describe any known or possible contamination at the site from present or past uses.

- b. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

- c. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

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- d. Describe special emergency services that might be required.

- e. Proposed measures to reduce or control environmental health hazards, if any.

2. Noise

- a. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

- b. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)?
Indicate what hours noise would come from the site.

- c. Proposed measures to reduce or control noise impacts, if any.

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Land and Shoreline Uses

1. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

2. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to non-farm or non-forest use?

- a. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling and harvesting? If so, how?

3. Describe any structures on the site.

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4. Will any structures be demolished? If so, what?

5. What is the current zoning classification of the site? _____

6. What is the current comprehensive plan designation of the site? _____

7. If applicable, what is the current shoreline master program designation of the site?

8. Has any part of the site been classified as a critical area by the city or county? If so, specify.

9. Approximately how many people would reside or work in the completed project? _____

10. Approximately how many people would the completed project displace? _____

11. Proposed measures to avoid or reduce displacement impacts, if any.

12. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.

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13. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any.

Housing

1. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

2. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

3. Proposed measures to reduce or control housing impacts, if any.

Aesthetics

1. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

2. What views in the immediate vicinity would be altered or obstructed?

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3. Proposed measures to reduce or control aesthetic impacts, if any

Light and Glare

1. What type of light or glare will the proposal produce? What time of day would it mainly occur?

2. Could light or glare from the finished project be a safety hazard or interfere with views?

3. What existing off-site sources of light or glare may affect your proposal?

4. Proposed measures to reduce or control light and glare impacts, if any.

Recreation

1. What designated and informal recreational opportunities are in the immediate vicinity?

2. Would the proposed project displace any existing recreational uses? If so, describe.

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3. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any.

Historic and Cultural Preservation

1. Are there any buildings, structures or sites located on or near the site that are over 45 years old listed in or eligible for listing in national, state or local preservation registers located on or near the site? If so, specifically describe.

2. Are there any landmarks, features or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

3. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

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4. Proposed measures to avoid, minimize or compensate for loss, changes to and disturbance to resources. Please include plans for the above and any permits that may be required.

Transportation

1. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

2. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

3. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

4. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

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5. Will the project or proposal use (or occur in the immediate vicinity of) water, rail or air transportation? If so, generally describe.

6. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates?

7. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

8. Proposed measures to reduce or control transportation impacts, if any.

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Public Service

1. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

2. Proposed measures to reduce or control direct impacts on public services, if any.

Utilities

1. Check the utilities currently available at the site:

- ☐ Electricity
- ☐ natural gas
- ☐ water
- ☐ refuse service
- ☐ telephone
- ☐ sanitary sewer
- ☐ septic system
- ☐ other

2. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.

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DF 2/17/2021

Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature CG ZH

Name of signee CONG ZHENG

Position and Agency/Organization _____

Date Submitted 12/22/2020

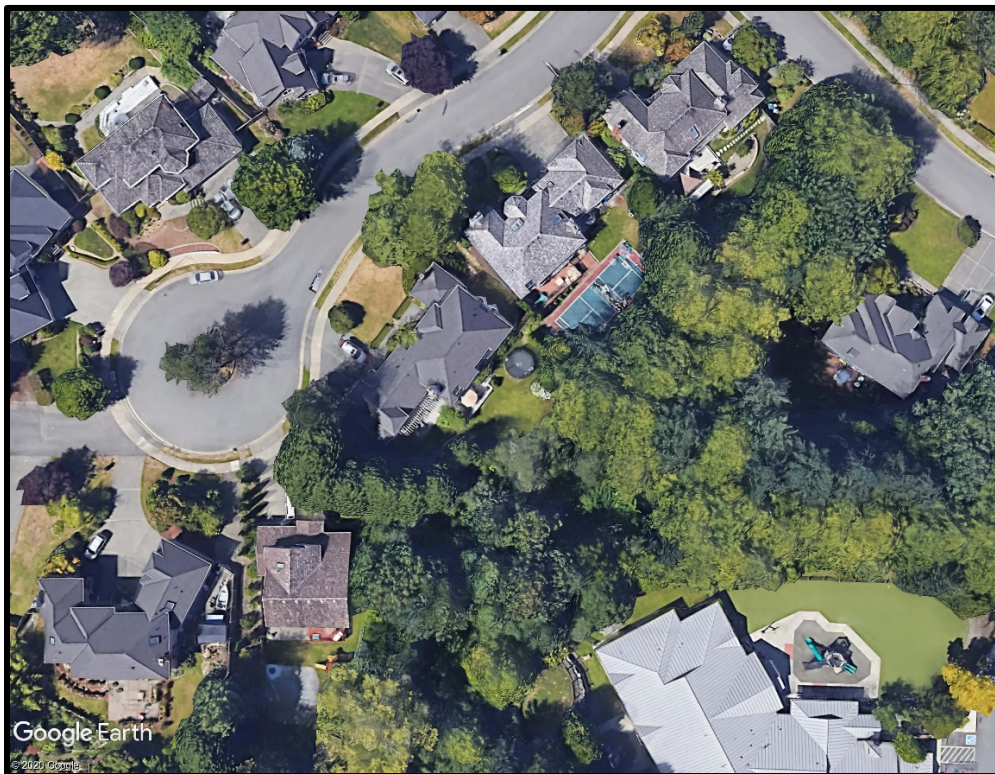
DF 4/7/2021

Vegetation Management Plan

5050 165th Place Southeast

Bellevue, WA 98006

King County Parcel: 896540-0120



Prepared for:

Cong Zheng

5050 165th Place SE
Bellevue, WA 98006

Prepared by:

GALLOWAY ENVIRONMENTAL, INC.

15600 NE 8th Street, Suite B1, 617
Bellevue, Washington 98008

December 5, 2020

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Figure 1 **Site Location Map**

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APPENDICES

Appendix A **Site Photographs**

1.0 INTRODUCTION

Galloway Environmental, Inc. (GEI) has prepared this Vegetation Management Plan (VMP) for implementing the necessary steps to help ensure protection of the environmental sensitive area of the property addressed as 5050 165th Place Southeast, Bellevue, Washington, hereafter referred to as the "Site". King County lists the site to be associated with parcel number 896540-0120. The Site location is shown in Figure 1.

This VMP presents the objectives, methodology, and technical approach for implementing management actions to provide protection to the on-site critical area. The purpose of this VMP is to obtain approval and concurrence by the City of Bellevue (the "City") for the planned mitigation and management for previous and planned alterations to vegetation within the critical area of the site.

By restoring and enhancing the vegetation along the banks of the on-site stream (Lewis Creek), the critical area will receive greater ecological and biological functions. These actions will serve as equal to, or greater than, a two-to-one ratio mitigation.

The objectives of this VMP, described herein, are to:

- Provide a description of the methodology and technical basis for the previous and planned changes to site vegetation;
- Provide a detailed description of the individual components of the actions, including a site analysis, and impact analysis, and key actions of proposed actions; and
- Demonstrate that the critical area will receive equivalent or greater ecological and biological functions through the proposed mitigation actions.

1.1 CRITICAL AREA BACKGROUND INFORMATION

The site is associated with the Lake Washington/Cedar/Sammamish Watershed, also known as Water Resource Inventory Area 8 (WRIA 8). WRIA 8 encompasses approximately 700 square miles of land and ranges in elevation from sea level to 5,500 feet above sea level (asl).

The subject creek, Lewis Creek, is associated with the Lewis Creek Basin (Washington State Stream Number 08-0162). Per King County, the basin encompasses approximately 1,209 acres of land.

Lewis Creek headwaters originate approximately 2 miles southwest of Lake Sammamish in a low gradient area of Bellevue's Eastgate area, on the northeast side of Cougar Mountain, and discharges into the southwest portion of Lake Sammamish. It is classified as a Type "F" waterway, meaning that it is a naturally defined waterway within the bank-full widths of defined channels, periodically inundated with water, and contains fish habitat. Type F waters also includes habitat that may be recovered by restoration or management.

According to King County, the dominant land use in the basin is developed with low to medium intensity, forest, and open spaces. Approximately 71 percent (%) of the basin is developed, 27% is forested, less than 2% includes shrub land, and less than 1% is characterized as "other".

1.1.1 Location

The Site is located at 5050 165th Place Southeast, Bellevue, Washington (47° 33' 26" N, -122° 07' 15" W). It is situated approximately 0.18 miles east of the intersection of 132nd Avenue NE and NE 143rd Street (see Figure 1-1 — Site Location Map).

1.1.2 Existing Conditions Site Analysis

The site is located in an area of the City of Bellevue, zoned as "R-3.5" which signifies 3.5 dwellings per acre. It is developed with a two story, 3,500 square foot, single-family residential structure which was constructed in 1990. Of the 14,570 square foot parcel, the impervious surfaces account for approximately 3,120 square feet and include the residential structure, attached garage, and paved driveway. The eastern portion of the site contains Lewis Creek.

Stream flow to this portion of the creek is highly dependent upon seasonal rates and volumes of precipitation and snowpack. As such, it may experience a wide flow regime. Seasonal high flows are typical during the period from mid to late fall through early spring. During this period, the active channel experiences a higher degree of sediment transport. During the period from

spring mid to late fall lower water flows are typical, resulting in a higher degree of sediment deposition.

GEI's fisheries biologist, Mr. Dylan Galloway performed the site visits on November 9, 2020, during which, access to the stream was limited due to dense Himalayan blackberry. The active channel width observed was estimated to be approximately 6 feet wide and varied in depth from approximately four inches to 18 inches. Due to seasonal low flows, observed creek water volume was relatively low. The substrate observed consisted of small to moderate sized smooth gravels and cobbles over small, well-graded gravels, which are underlain by finely graded stream sediments. The substrate appears to be suitable habitat for aquatic organisms. However, due to very low flows during the summer and early fall seasons, it is unlikely that migratory fish species are present in this section of the creek during this period.

A dense growth of invasive blackberry was observed as the dominant plant species from the eastern edge of the waterline to the top of the stream bank. Other ornamental plantings (e.g., ferns) were observed. Woody trees such as oak, thuja, and beech are prevalent along the stream bank at the subject property.

1.1.3 Area Impact Analysis

As noted above, two trees situated near Lewis Creek, have been recently felled by the Owner's contractor. Because of the density of trees in the area, significant environmental impacts are considered minimal. The removal of the trees is not considered significant to increases in turbidity or temperature to the waters of Lewis Creek.

2.0 ENVIRONMENTAL GOALS AND OBJECTIVES

The overall goals and objectives of this VMP are to achieve greater ecological and biological functions to the critical area where the Owner's contractor removed the trees. Specifically, the proposed actions will serve as compensation for the critical area.

2.1 Proposed Compensation

2.1.1 Proposed Mitigation Actions

The proposed compensation actions include several components, including:

- Remove the dense blackberry and other invasive plantings situated within the creek channel to a distance of approximately 10 feet from the top of bank (within the property boundary);
- Replant two conifer trees in the vicinity of the two removed trees; and
- Plant five Pacific Northwest native plants for along the streambank where blackberry was removed to provide supplemental shading to the creek and erosion control (see Appendix A).

2.1.2 Purposes of Compensation Actions

As noted above, the overall goals and objectives of the proposed compensation actions entail achieving greater ecological and biological functions to the critical area at the site. The actions are considered sufficient compensation for an on-site habitat enhancement ratio of at least two-to-one.

2.1.3 Anticipated Impacts to Critical Area

As previously noted, the previous removal of the on-site trees is considered a minimal negative impact to the critical area. By performing mitigation actions outlined in Section 2.1.1, the overall health and quality of the critical area will gain significant value. The creek banks are currently overgrown with an invasive blackberry which has been observed to be dense enough to pose significant risk to resident aquatic organisms. By replacing these with plantings typical of aquatic ecosystems, the creek will become a more suitable habitat for aquatic organisms and associated waterfowl and wildlife. Further, such actions will enhance the wildlife corridor.

2.2 Review of Best Available Science – Support of Proposed Mitigation

GEI reviewed Best Available Science (BAS) in support of mitigation to compensation for the removal of the two trees at the site. Specifically, GEI reviewed pertinent sections of Part 20.25H, *Critical Areas Overlay District* of Chapter 20.25, *Special and Overlay Districts* of the City of Bellevue Land Use Code.

2.2.1 Channel Conditions and Dynamics

The previous felling of two trees resulted in no observable alterations to the channel migration conditions, thereby resulting in no changes to the channel dynamics.

The proposed mitigation actions, presented in Section 2.1.1, are expected to result in no alterations to the current channel migration conditions and dynamics will not be affected. The channel migration zone will not be artificially enhanced or altered in any way.

2.2.2 Water Quality

King County monitors ecological and biological characteristics of Lewis Creek from a station situated near the intersection off 187th Avenue Southeast and 185th Place Southeast. Water quality samples are collected monthly to test for temperature, dissolved oxygen (DO), pH, conductivity, turbidity, total suspended solids, ortho-phosphorus, total phosphorus, ammonia, nitrate-nitrogen, total nitrogen, and fecal coliform (FC) bacteria. According to King County, Lewis Creek has been included in the Washington State Department of Ecology (Ecology) 303(d) list for violation of water temperature, DO, and FC bacteria under Category 5. Category 5 signifies that one or more water quality standards have been demonstrated to violate the Clean Water Act (CWA) water quality standards and requires a water improvement project.

Water quality parameters are expected to be slightly altered as a result of the proposed actions. The selected plants and woody trees slated to replace the two felled trees and blackberry are

expected to increase canopy coverage and reduce temperature and long-term sediment input. This will result in favorable long-term conditions for facilitating a stable and diverse aquatic ecosystem. By using native, stream-enhancing vegetation, the selected plants and woody trees will also serve as more natural nutrient input to the creek.

2.2.3 *Habitat Access and Elements*

Habitat access and other elements including substrate complexity, woody debris, pool frequency, pool quality, off channel habitat, and refugia are expected to be altered as a result of the previously felled trees and the proposed actions. The alterations include reduction rates of sedimentation and stabilize substrate conditions as vegetation matures. The proposed actions are also expected to promote habitat coverage for aquatic organisms such as insects, amphibians, and fish.

2.2.4 *Watershed Conditions*

Frequencies and volumes of overland and subsurface water flows are not expected to be altered to any significant degree. Vegetation selected to replace the felled trees and blackberry is expected to provide a greater degree of water storage and may stabilize rates of water input to Lewis Creek.

2.2.5 *Functioning Conditions*

A culvert at I90 results in a fish migration barrier to the creek. Various salmonid species have been observed downgradient to the culvert. Though salmonid species are not expected to be present within the creek at the site, the creek contributes to the overall productivity of listed salmonid species downstream. As such, proposed actions are expected to benefit such factors downstream.

The felled trees and the proposed actions are not expected to alter the functioning conditions of the creek or downstream of the creek.

3.0 PERFORMANCE STANDARDS

Proper evaluation of conditions is a key aspect in assessing if the goals and objectives of the proposed actions have been successfully attained. The following performance standards have been selected as appropriate monitoring actions in order to minimize the potential for adverse impacts to the creek.

3.1 Water Quality Standards

Because in-water work is not expected to occur, and replacement of invasive vegetation near the creek is expected to occur over a short duration, water quality standards (parameters) are not planned for monitoring.

3.2 Vegetation Standards

The owner will monitor the health of the planned replacement vegetation and the soils around the vegetation from installation through its establishment. Upon confirmation that the replacement vegetation is stable, monitoring of the vegetation and the soils around the vegetation will halt.

4.0 DETAILED CONSTRUCTION PLAN

The following sections provide detailed descriptions of the activities that will be completed during the proposed actions at the site.

4.1 Proposed Sequencing

Prior to the start of activities within or at the top of the creek bank, best management practices (BMPs) will be implemented for erosion and sedimentation control. This will include the installation of silt curtain fencing along the bottom of bank, just above the current water line. Blackberry bushes may need to be significantly cut down to reach optimum area of installation.

The silt fencing will be installed at a minimum of three inches below grade to ensure proper capture of soils and will be reinforced on the stream-side by wire fencing. Removal of the invasive vegetation will then occur by manual extraction to clear the bank for installation of selected planting. No herbicides will be incorporated into the removal or control of such vegetation. Following the vegetation removal, selected plantings will be installed.

4.2 Detailed Planting Plan

The plantings for this project have been selected because they are northwest natives typically found along streams and wetlands. Together, these plants will reduce soil erosion with their intertwining root systems and suckering growth habit. They are relatively drought tolerant, non-invasive and will require a very minimum level of maintenance. They will provide ample shade, good nutrient input, and shelter to native wildlife and aquatic organisms. It should be noted that the numbers of each, listed below, may vary slightly, depending upon readily available sources.

The anticipated plantings include two *Thuja plicata* (western red cedar) near the location of the two felled trees, one *Pseudotsuga menziesii* (douglas fir) atop the eastern bank of the creek, two *Spiraea douglasii* atop the eastern bank of the creek, one *Acer circinatum* (vine maple) atop the eastern bank of the creek and one atop the western bank of the creek, and up to three *Thuja* cultivars (green giant) atop the western bank of the creek. The actual species, their totals numbers, and their locations may be modified, based on availability.

4.3 Anticipated Final Outcome

The proposed actions are expected to enhance the creek channel and provide additional habitat for aquatic organisms and associated waterfowl and wildlife. This will encourage species diversity and richness within the critical habitat along the site as well as down-gradient to the site.

5.0 COMPLIANCE MONITORING

5.1 Protection Monitoring

Prior to the proposed actions, protection monitoring will consist of conducting observations of the creek and its banks to provide a baseline for current conditions. A comparison of observations made between the baseline conditions and those observed during the proposed actions will determine if unanticipated negative impacts occur. Should negative impacts be observed, engineering controls will be implemented to control such factors.

5.2 Performance Monitoring

Performance monitoring is used to verify that the proposed actions have attained the desired enhancement to ensure satisfactory mitigation of the felled trees within the critical area. Periodic observations of conditions will occur throughout the proposed actions to ensure anticipated benefits from the proposed actions are being realized.

5.3 Confirmational Monitoring

Long-term monitoring will be performed to document and track the impacts of development on the functions and values of the critical area. To verify success of the proposed actions, long-term monitoring will include establishing vegetation attributes to track survival and establishment of new plantings as well as changes in plant species over time. If new plantings are observed to fail their intended use, replacement plantings will be instituted.

6.0***CONTINGENCY PLAN***

Should monitoring reveal significant deviations from expected outcomes, corrective action will take place. There may be few corrective action alternatives for deviations resulting from natural influences such as flash floods, fires, or inclement weather. Actions for most deviations will be chosen on a case-by-case basis. However, if it is determined that alternative corrective actions such as plant replacements are necessary, such action will take place with as little delay as possible.

7.0 LIMITATIONS

To the extent that preparation of this VMP has required the application of best professional judgment and the application of scientific principles; certain results of this work have been based on subjective interpretation. We make no warranties, express or implied including without limitation, warranties as to merchantability or fitness for a particular purpose. The information provided in this VMP is not to be construed as legal advice.

This VMP was prepared solely for the Owner and the contents thereof may not be used or relied upon by any other person without the express written consent and authorization of GEI.

ATTACHMENT 1

FIGURES

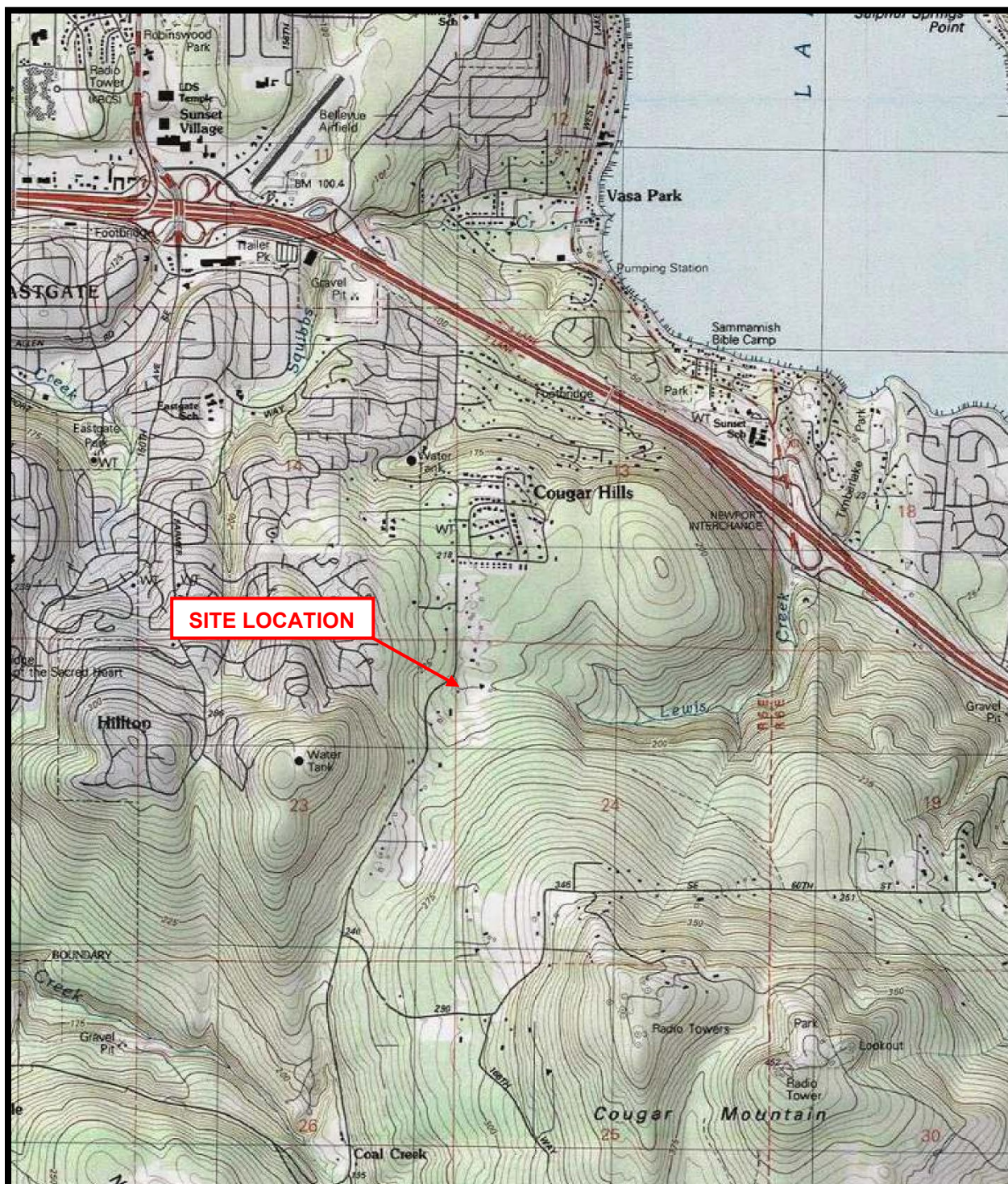


FIGURE 1 — SITE LOCATION MAP

Zheng Residence Vegetation Management Plan

5050 165th Place Southeast, Bellevue, Washington

Source: WSDOT, November 2020; GEI Project #40030



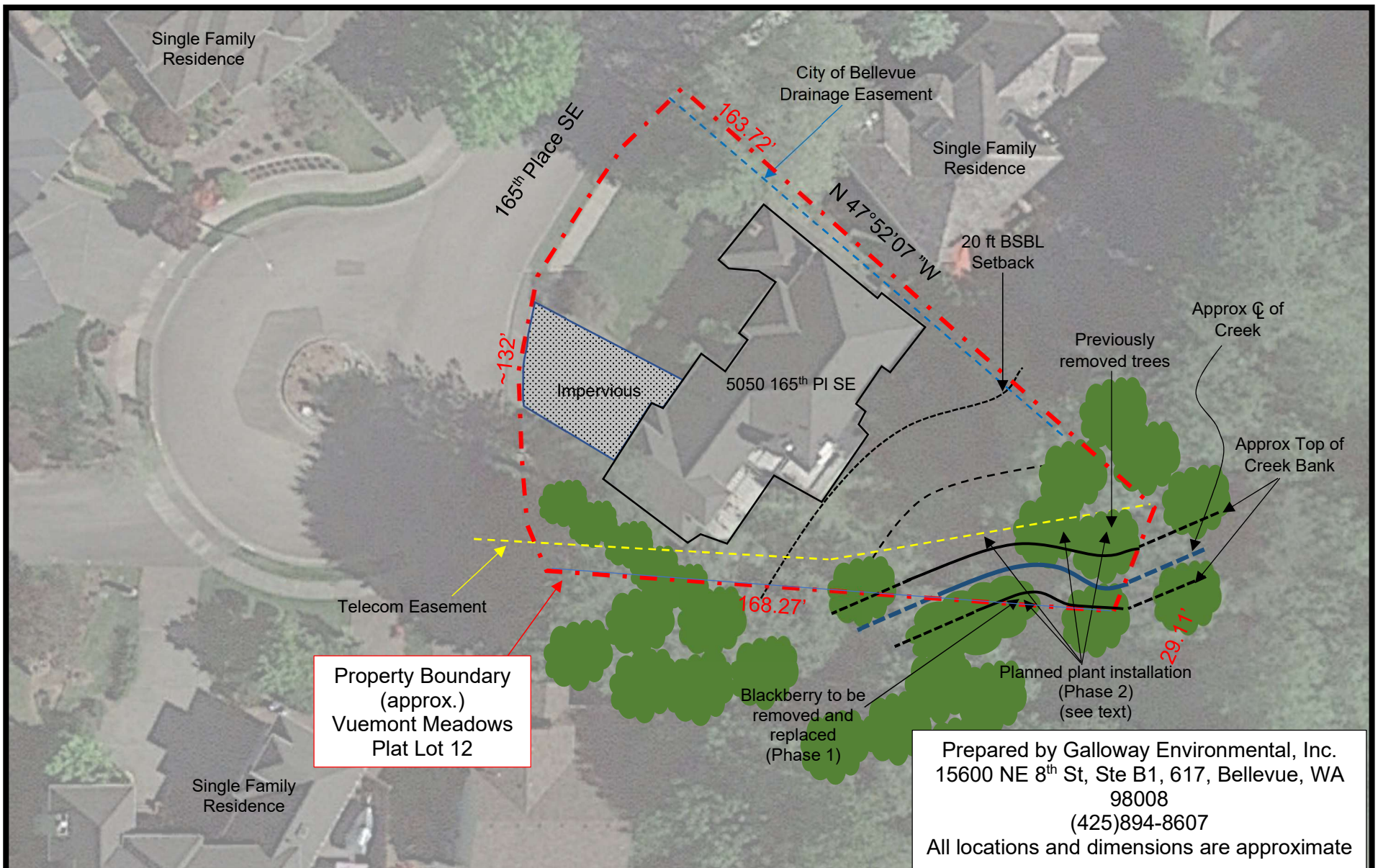
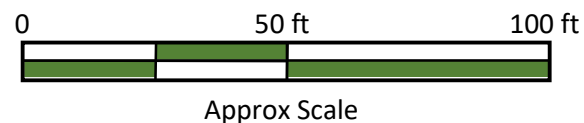


FIGURE 2 — SITE PLAN B

Zheng Residence Vegetation Management Plan
5050 165th Place Southeast, Bellevue, Washington

Source: GoogleEarth; Nov. 2020 & Borghousen Consulting Engineers, Inc
GEI Project #40030



APPENDICES

Appendix A

Site Photographs

South West Elevation

BRG: 51°NE (M) POS: 47°33'25"N, 122°7'15"W ±16ft ALT: 685ft



Project No. 40030	Description	Photo of site, western creek bank, facing NE	Photo 1
	Site Name	Vegetation Mgmt Plan; 5050 165 th Place SE, Bellevue, WA	Photo Date November 9, 2020
	Client	Cong Zheng	

South West Elevation

BRG: 65°NE (M) POS: 47°33'25"N, 122°7'15"W ±22ft ALT: 684ft



Project No. 40030	Description	Photo of site, western creek bank, facing NE	Photo 2
	Site Name	Vegetation Mgmt Plan; 5050 165 th Place SE, Bellevue, WA	Photo Date November 9, 2020
	Client	Cong Zheng	

North East Elevation

BRG: 235°SW (M) POS: 47°33'25"N, 122°7'14"W ±13ft ALT: 677ft



Project No. 40030	Description	Photo of site, western creek bank, facing SW	Photo 3
	Site Name	Vegetation Mgmt Plan; 5050 165 th Place SE, Bellevue, WA	Photo Date November 9, 2020
	Client	Cong Zheng	

North Elevation

BRG: 181°S (M) POS: 47°33'25"N, 122°7'14"W ±19ft ALT: 676ft



Project No. 40030	Description	Photo of primary area of investigation, facing S	Photo 4
	Site Name	Vegetation Mgmt Plan; 5050 165 th Place SE, Bellevue, WA	Photo Date November 9, 2020
	Client	Cong Zheng	



Project No. 40030	Description	Photo of Lewis Creek, facing SE	Photo 5
	Site Name	Vegetation Mgmt Plan; 5050 165 th Place SE, Bellevue, WA	Photo Date November 9, 2020
	Client	Cong Zheng	



Project No. 40030	Description	Photo of Lewis Creek, facing NE	Photo 6
	Site Name	Vegetation Mgmt Plan; 5050 165 th Place SE, Bellevue, WA	Photo Date November 9, 2020
	Client	Cong Zheng	